

EXHIBIT A

From: William Delgado <WDelgado@willenken.com>
Date: January 2, 2010 11:55:24 PM EST
To: "enrico.schaefer@traverselegal.com" <enrico.schaefer@traverselegal.com>
Subject: RE: Joint Planning Conference Report

Enrico,

I very much doubt we will be able to reach an agreement on the Joint Report. Our position is going to be that discovery should not commence until the pleadings are finalized (and they cannot be finalized until the Judge has ruled on our Motion for Reconsideration) and, once it commences, fact discovery should be permitted for a period of 12 months. Unless you are on board with that—and something tells me you won't be—it looks like we will be in Detroit in about a week.

I have re-read the Judge's order and it appears that in the event the parties cannot agree, each party should file their own proposal so that is what I intend to do.

Let me know if you have any questions.

Thanks,

Will

From: Enrico Schaefer [mailto:enrico@traverselegal.com]
Sent: Wednesday, December 16, 2009 11:55 AM
To: William Delgado; 'Cathy Dittrich'
Subject: Joint Planning Conference Report

William:

Find attached a proposed Joint Conference Report consistent with our conference yesterday. I have also attached a .pdf version with my thoughts and explanations.

Finally, I will have Cathy from my office send you previous orders entered by our Judge for your review. Our Order is consistent with the approach in this previous case, although the discovery period we propose and related dates are longer.

If you agree with our proposed dates, let me know. If you have counter-proposals, let me know as well. Recall that we can avoid the hearing on Jan 11 if we can reach agreement on this report.

Enrico Schaefer, Attorney

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